

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:06CR197
)	
v.)	
)	
KENNETH SMITH,)	FINAL ORDER OF
)	FORFEITURE
Defendant.)	
_____)	

This matter is before the Court upon the United States' Motion for Final Order of Forfeiture and Memorandum Brief (Filing No. 31). The Court has review the record in this case and finds as follows:

1. On September 19, 2006, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 21, United States Code, Sections 841 and 853, based upon the defendant's plea of guilty to Counts I and II of the Information filed herein. By way of said Preliminary Order of Forfeiture, the defendant's interest in \$275.00 in United States currency was forfeited to the United States.

2. On October 12, 19 and 26, 2006, the United States published in a newspaper of general circulation notice of this forfeiture and of the intent of the United States to dispose of the property in accordance with the law, and further notifying all third parties of their right to petition the Court within the stated period of time for a hearing to adjudicate the validity of their alleged legal interest(s) in said property. An Affidavit of Publication was filed herein on November 22, 2006 (Filing No. 28).

3. The Court has been advised by the United States no Petitions have been filed.

From a review of the Court file, the Court finds no Petitions have been filed.

4. Plaintiff's Motion for Final Order of Forfeiture should be sustained.

Accordingly,

IT IS ORDERED:

A. Plaintiff's Motion for Final Order of Forfeiture is hereby sustained.

B. All right, title and interest in and to the subject property, i.e., \$275.00 in United States currency, held by any person or entity, is hereby forever barred and foreclosed.

C. The subject property, i.e., \$275.00 in United States currency, be, and the same hereby is, forfeited to the United States of America .

D. The United States Marshal for the District of Nebraska is directed to dispose of said property in accordance with law.

DATED this 4th day of December, 2006.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court